

**Minutes
Windsor Town Council Meeting
Town Hall
January 13, 2009**

The Windsor Town Council met in regular session on January 13, 2009 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Marvin A. Crocker, Jr. was present, and he called the meeting to order. He welcomed those who were present. He asked for anyone with cell phones to please turn them off. He asked the Clerk to call the roll. Robin Hewett, Town Clerk, recorded the minutes. John L. Rowe, Jr., Interim Town Manager, Michael Stallings, Planning and Zoning Administrator, Police Chief Robert Porti, and Joshua Pretlow, Jr., Town Attorney were present.

Council members present: Wesley F. Garris
 J. Clinton Bryant
 William L. Jones
 Durwood V. Scott
 Greg Willis
 Carita J. Richardson

Mayor Crocker wished everyone a happy and prosperous new year. He asked Councilman Bryant to give the invocation. Councilman Bryant gave the invocation.

Public Hearings - None

Delegations, Public Comments, and Citizens Concerns - None

Consent Agenda

Mayor Crocker asked for approval of the consent agenda, which includes the minutes of the December 23, 2008 Special Called Council meeting and the minutes of the December 23, 2008 Council meeting. Councilwoman Richardson made a motion to approve the consent agenda. Councilman Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Interim Town Manager's Report

Introduction of Bryan D. Mack, M.D.

Mr. Rowe introduced Dr. Bryan D. Mack, the newest doctor in Town, to Council. He suggested to Mayor Crocker to have Dr. Mack come forward to speak with Council.

Dr. Mack said he grew up in Michigan, and moved to southeast Virginia with the Navy. He said he retired from the Navy September 2008 from the clinic at Norfolk Naval Base. Dr. Mack said he found that Dr. Maddock was getting ready to move on, so he inquired about his private practice. He said it has taken him six months to get established, but he just opened today. He said he offers primary care/general medicine to patients 16 years old and older. Dr. Mack said he does not treat children. He said his welcome has been great, and he hopes to provide a service to the community.

Mayor Crocker thanked Dr. Mack for opening his practice in Windsor and being a vital part of the community. He then presented Dr. Mack with a gift basket from the Town and press took pictures of Council with Dr. Mack.

Draft Budget Calendar for 2009

Mr. Rowe said as of December 31, 2008 we have completed the first six months of this fiscal year. He said staff will give Council an analysis of the first six months both revenues and expenditures comparing them to previous years, and also giving Council a projection of where we think we will end up on June 30, 2009. He said this is the foundation for starting the budget process for fiscal year 2009/2010. Mr. Rowe said he has included in the packages a draft budget calendar that has Council adopting the budget on June 9, 2009. He said having June 9th as the budget adoption date would give Council flexibility in the calendar if Council needs to go beyond June 9th. He said Council will have three more weeks before the end of the fiscal year. Mr. Rowe said Council would have a very detailed presentation on the current fiscal year compared to previous fiscal years at Council's next meeting. He said this will serve as the basis for looking forward to 2009/2010 fiscal year.

Mayor Crocker asked if any member of Council had any questions. There were none. He asked if the Finance Committee was in agreement with the budget calendar. Councilman Garriss said they were in agreement with the calendar. He suggested to Council that if any Council member has any suggestions or questions to get them to Mr. Rowe as soon as possible to help make this a smooth process.

2009 Session of the Virginia General Assembly

Mr. Rowe said the 2009 Session of the General Assembly convenes at 12:00 noon, Wednesday, January 14, 2009. He said they will adjourn the latter part of February. He said February 10th is "bill cross over day". He said this means the House must complete action on the bills that they want to send to the Senate and the Senate must complete action on the bills they want to send to the House. Mr. Rowe said included in the packages is the calendar as published by the General Assembly for this session. He said VML has scheduled the annual legislative day for February 5th. Mr. Rowe said he would recommend to Council if their

schedule permits to attend this meeting on February 5th. He said anyone wanting to go let him know and staff will take care of the arrangements. Mayor Crocker said he would like to attend. Mr. Rowe said he and Mr. Stallings would most likely go to Richmond before February 5th. Mr. Rowe said he would attend on February 5th as well. He said the major issue in this Session is the amendments to the State Budget, which will have a great impact on local governments. He said this has been factored into the Council's budget calendar.

Mr. Rowe said recommends that because of the General Assembly's hectic pace with legislation, Council allow him to respond back to the Virginia Municipal League (VML) and to the appropriate members of the General Assembly with the Town's position on pending legislation. He said that he would copy Council on such responses so that Council could make adjustments as necessary. Mayor Crocker said he agrees with Mr. Rowe on this procedure, and he asked if Council was comfortable with this procedure. The members of Council indicated that they were comfortable with this procedure.

Calendar of Events

Mr. Rowe said that Council has the calendar of events for January and February 2009. He said if Council has any questions regarding the calendar, then he could answer them at this time.

Other

Mr. Rowe said he has a late item for the agenda which came in today. He asked Mr. Stallings to come forward to speak to Council regarding the issue. Mr. Rowe said instead of waiting two weeks until the next Council meeting, in the interest of giving a quick turn around, he recommends to Council to consider this issue as a late item.

Mr. Stallings said placed before Council is a memo and letter regarding Windsor Woods. He said he received a letter today from Mr. Jim Bryant of the Virginia Department of Transportation (VDOT) notifying the Town that VDOT has taken the streets in the Windsor Woods subdivision into the state's secondary road system. He said this was the last remaining item before releasing Windsor Woods bond. He said this letter completes all their requirements as far as the release of the bond.

Mr. Rowe said he recommends that Council adopt a motion to release all remaining bonds held on the Windsor Woods subdivision.

Councilman Scott made a motion to release all remaining bonds held on the Windsor Woods subdivision. Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Councilman Scott asked if the drainage issues had been addressed in the subdivision. Mr. Stallings said the developer has been released from their erosion and sediment bonds for a while now. Mayor Crocker asked Mr. Stallings to notify the developer of the bond release.

Police Chief's Report

Chief Porti said in the packages is the crimes and offenses report for the month of December 2008. He said there were 204 calls for service during the month, of which they responded to 200. He said the traffic stops were down for the month due to the department's heavy case workload. Chief Porti said there were 108 traffic stops, which resulted in 125 summons and 17 warnings. He said there was one DUI arrest. He reported that there were 14 felony arrests, resulting in 44 charges, and seven misdemeanor arrests, resulting in nine charges.

Chief Porti said in regards to the shooting at the Windsor School of Dance, all suspects have been arrested and are in custody. He said they recovered two handguns and an AK-47 that were present at that incident.

Chief Porti said officers responded to a report of a sexual assault, and the investigation is pending. He said during the first week of December, an Assault by Mob/Malicious Wounding investigation that began at the end of November was completed with the arrest of four individuals. Chief Porti said a fugitive they had charged with six felony offenses in relation to a reported sexual assault in October 2008, was located and arrested in Virginia Beach.

Mayor Crocker related to Chief Porti that he and Council appreciate all the hard work the Windsor Police Department does for the Town.

Town Attorney's Report

Mr. Pretlow said he has contacted the Isle of Wight County Attorney's office to let them know that the Community Center Memorandum of Understanding (MOU) matter is off the table until there are better economic times, and discussions can always be opened by either party to try to move forward at the appropriate time.

Mr. Pretlow said as the rules in which Town Council operates under, Council needs to establish at the next Council meeting a calendar scheduled Council meetings and times for the year. He said the calendar would need to be adopted at the next Council meeting. Mayor Crocker asked the Clerk to make sure this item is on the agenda for the next Council meeting.

Mayor's Report

Mayor Crocker said he and Mr. Stallings attended the Commonwealth Transportation Board Meeting on January 7th. He said once again they presented the resolution regarding the center turn lane.

Mayor Crocker said on January 8th several members and staff attended the Chamber of Commerce pre-legislative breakfast at the Smithfield Center. He said they received a general overview from Delegation regarding items that will come before them at the General Assembly.

Mayor Crocker said the Board of Supervisor Action List is in the Town Office for anyone wishing to review.

Mayor Crocker said he has spoke briefly with the Smithfield Town Mayor regarding the possibility of the Town Managers and Mayors of Windsor and Smithfield getting together to discuss issue that may affect both Towns. He said particularly to discuss software issues. He said Smithfield has an academy of training and he said he would like to see Windsor participate in this. Mayor Crocker said the Mayor of Smithfield has spoken with their Council and has received approval for these types of meetings. Mayor Crocker asked Council if they were in favor of having the Mayors and Managers of both Towns meet periodically to discuss various issues concerning both towns. Council agreed to the meetings.

Fire Department/Rescue Squad Committee - No report.

Public Health & Safety/Street Committee

Councilman Bryant said Councilman Willis had a concern he would like to discuss. Councilman Willis asked if someone could check and see if the silt fence at the entrance of Holland Meadows could be removed. He said it makes the entryway to the subdivision look bad. Mr. Rowe said he would have staff look into this matter.

Finance Committee - No report.

Personnel Committee – No report.

Utilities/Property/Cemetery Committee

Vice-Mayor Jones asked Mr. Rowe to explain the contract from the engineers regarding the water system improvements. Mr. Rowe said that a future Council meeting he will give Council a resolution to appropriate the funds for the engineering services associated with the capital water project. He said the Town has received a \$1.3 million loan from Rural Development. He said the loan

specifies the engineering fees, and it cannot exceed the amount indicated in the closing documents. He said the amount is approximately \$160,000 for engineering fees. Mr. Rowe said before the contract can be executed the funds have to be appropriated. He said he is working with the auditor to prepare the resolution that would appropriate the funds. He said once the funds are appropriated, then Council could approve the terms and conditions of the contract to move forward with the engineering work. Mr. Rowe said Rural Development is currently reviewing the engineers contract to make sure it meets all their requirements. He said the engineering services would be paid for out of the proceeds of the loan. Mr. Rowe and Council further discussed the engineering services in relation with the requirements of the loan process.

Mr. Rowe said he sees this project as a shovel ready project that could be considered for the Federal Stimulus Package, and he has conveyed this to the Hampton Roads Planning District.

Parks & Library Committee

Councilwoman Richardson said the Friends of the Library met yesterday evening and reported that approximately 400 people were fed at the Santa Breakfast this year. She said on February 1st the Library is starting a program called "Snuggle with a Good Book". She said the program is for children from birth to age four. She said this program is to help prepare children with learning to read when they go into kindergarten.

Planning Commission

Mr. Stallings said the annual planning and zoning report is in the packages. He said he has compared 2008 to 2007 and he said the report shows a decrease in the number of zoning permits. He said the majority of the decrease was with sign permits issued. He said there were approximately 20 permits less than last year. Mr. Stallings said the notices of violations were 33 for 2008, which were 10 less than 2007. He said these figures do not account for second and third notices to the residents. Mr. Stallings said there were zero variances, one conditional use permit, four subdivision permits, and two rezonings.

Mr. Stallings said the next Planning Commission meeting is scheduled for January 28, 2009 at 7:00 p.m., which will be a joint meeting with the Economic Development Committee. He said Mr. Jeff Keever with the Virginia Port Authority would be present to give a port authority expansion presentation, which he gave to Council several months earlier.

Economic Development Committee

Councilman Scott said the committee would normally meet this month, but decided not to because of the joint meeting on January 28th with the Planning Commission, which Mr. Stallings just mentioned.

Workforce Housing Committee - No report.

Community Center Committee - No report.

Old or Unfinished Business - None

New Business

Mr. Pretlow announced that over the next two weeks Council would conduct a series of closed meetings at undisclosed locations for the purpose of interviewing candidates for the position of town manager.

Mayor Crocker said that in the next newsletter there would be information on the late Cecil Eley. Mr. Rowe said the Town received a thank you from the family for the flowers that were sent. He said the newsletters had already been printed before Mr. Eley passed away. He said staff has decided to devote the next newsletter to Cecil Eley.

Mr. Rowe said Council received an invitation for February 6th entitled “ Managing the 2010 Budget Strategies to Success” held in Richmond. He said if anyone is interested contact him and he would send an email indicating the individuals that will be attending.

Mayor Crocker asked Councilman Willis if he would like to comment on the Newly Elected Officials conference he just recently attended. Councilman Willis said it was very interesting. He said he met a lot of great people and several people from Smithfield.

Councilwoman Richardson asked the Mayor if Mr. Rowe could speak on the Town Charter for the citizens present. Mr. Rowe said Council decided at its December 23rd meeting to use 2009 to work through the Charter by taking one section at a time. He discussed how and when Council was going to review each section of the Charter. He said staff would use every media source available to keep the public apprised of what Council is doing. Mayor Crocker said this would be a nine-month process.

Vice-Mayor Jones made a motion to adjourn. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3. The meeting adjourned at 7:45 p.m.

Marvin A. Crocker, Jr.
Mayor

Robin Hewett
Town Clerk